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RCE

PATENT  
ATTORNEY DOCKET: 46970-5108

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Masanori NAKAHARA et al. ) Confirmation No.: 3876  
)  
Application No.: 09/826,009 ) Group Art Unit: 2621  
)  
Filed: April 5, 2001 ) Examiner: Christopher O. Onuaku  
)  
For: INFORMATION RECORDING )  
MEDIUM, INFORMATION )  
RECORDING APPARATUS AND )  
METHOD, INFORMATION )  
REPRODUCING APPARATUS AND )  
METHOD, COMPUTER DATA )  
SIGNAL EMBODIED IN A CARRIER )  
WAVE )

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, Mail Stop RCE  
Alexandria, VA 22314

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:  
☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_. (Any unentered amendment(s) referred to above will be entered).  
☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- ☒ Enclosed:  
☐ Supplemental Reply  
☐ Declaration Under 37 C.F.R. § 1.132  
☐ Information Disclosure Statement  
☐ PTO Form 1449 (with \_\_\_ documents attached)  
☒ Other: Preliminary Amendment

## 2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).
- ☐ Submission of Revocation of Change of Power of Attorney and Grant of New Power of Attorney

## 3. Fees Calculation

## (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$790.00
- ☐ \$385.00 (for small entity)

## (b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	34	minus	46	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. § 1.16(b))	9	minus	9	0	x \$200 each =	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

## (c) Extension of Time

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$ 1020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

Extension of time fee due with this request: \$120.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☒ Enclosed is a check in the amount of \$910.00, representing \$120.00 for the one month extension of time fee and \$790.00 for the RCE filing fee.
- ☐ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0573 in the amount of \_\_\_\_\_.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**



By: \_\_\_\_\_

Paul A. Fournier

Registration No. 41,023

Dated: May 16, 2007

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